IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 19104 of 2007(Y)

PETITIONER:

DOVE MULTIMEDIA PVT. LTD.,
44/217, MANAPPATTI PARAMBU LANE,
S.R.M.ROAD, ERNAKULAM NORTH, KOCHI-18,
REPRESENTED BY ITS MANAGER, SRI. V.MOHAN.

BY ADV. SRI.A.KUMAR

RESPONDENTS:

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1. THE DEPUTY COMMISSIONER(APPEALS),
ERNAKULAM.

2. THE COMMERCIAL TAX OFFICER,
COMMERCIAL TAX DEPARTMENT,
ERNAKULAM.

3. THE DEPUTY TAHSILDAR(RR),
KANAYANNUR TALUK, ERNAKULAM.

BY ADV. SHRI.MOHAMMED RAFIQ, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 19104 of 2007

Dated, this the 21st day of June, 2007

J U D G M E N T

Having regard to the contentions raised, WP(C) is disposed of modifying Ext.P5 order reducing payment to 1/3rd of the demand instead of 50% as condition for stay till disposal of the appeal, which is filed against sales tax assessment for the year 2005-06. Petitioner is directed to remit the same on or before 10/07/2007. The appellate authority is directed to take up the appeal and dispose of the same within three months from the date of making payment as above. If the petitioner does not make payment as above, entire demand can be recovered during pendency of the appeal and in that case appeal will be taken up in the usual course.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg